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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/524,532

02/14/2005

James C LeBlanc SR.

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04/04/2008

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EXAMINER

TO, TOAN C

ART UNIT

PAPER NUMBER

3616

MAIL DATE

DELIVERY MODE

04/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/524,532	Applicant(s) LEBLANC ET AL.	
	Examiner Toan C. To	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21, 24, 26-45, 51 and 52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 38-45 is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-21, 24, 27-37, 51 and 52 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Recitation “means detached from said steering shaft” in claim 1 renders the claim indefinite for being unclear since it is not known what structure(s) that the recitation is referred to in order to determine the scope of the claim invention.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, as best understood by the examiner, is rejected under 35 U.S.C. 102(b) as being anticipated by Edahiro et al (U.S. 4,978,131).

Edahiro et al a steering system for a vehicle having a body supported on at least two sets of steerable wheels, comprising: a steering shaft (the shaft connects a steering wheel 2 and a turning rod 4) provided with a wheel (2), supported on said body; a

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torque transmitting main shaft (23) supported longitudinally on said body; means operatively interconnecting (3, 4, 20) said steering shaft and said main shaft (23) for transmitting rotary motion of said steering shaft to rotary motion of said main shaft (23); first transversely displaceable means (4) operatively interconnecting knuckle brackets (6L, 6R) of one of said sets of steerable wheels (1L, 1R); means (the rack and pinion mechanism 20 can be detached from the steering shaft 23 by the technician people) detached from the steering shaft operatively interconnecting said main shaft (23) and said first transversely displaceable means (4) for translating rotary motion of said main shaft (23) to linear motion of said first transversely displaceable means (4); second transversely displaceable means (12) operatively interconnecting knuckle brackets (14L, 14R) of the other of said sets of steerable wheels (11L, 11R); and means operatively interconnecting (M, C, 30, 15) said main shaft (23) and said second transversely displaceable means (12) for translating rotary motion of said main shaft (23) to linear motion of said second transversely displaceable means (12); wherein, each of said means for translating rotary motion of the main shaft to one of said transversely displaceable means includes steering gear (rack and pinion, 3, 4, and gear changing mechanism C); wherein, the second transversely displaceable means (12) is spaced from and displaced 180 degrees about a vertical axis, relative to the first transversely displaceable means (4); wherein said first transversely displaceable means (4) operatively interconnects a front set of wheels (1L, 1R) and said second transversely displaceable means (12) operatively connects a rear set of wheels (11L, 11R) to provide a vehicle with a 4x4 configuration.

Response to Arguments

6. Applicant's arguments filed January 4, 2008 have been fully considered but they are not persuasive. The prior art still read on the claimed limitations.

7. In response to applicant's arguments that Ehahiro et al does not disclose the claimed recitation "means detached from the steering shaft", applicant is noted that the recitation is unclear with the reasons as indicated above, and the claim is rejected as best understood by the examiner.

8. In response to applicant's arguments that Ehahiro et al does not disclose the claim recitation "means operatively interconnecting said main shaft and said first transversely displaceable means for translating rotary motion of said main shaft to linear motion of said first transversely displaceable means", the examiner respectfully disagrees because "for translating rotary motion of said main shaft to linear motion of said first transversely displaceable means" is considered as functional recitation, and the functional recitation of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In this case, as shown in figure 3 of Ehahiro, the rack and pinion is interconnecting the displacement rod 4 and the connecting rod 23, such that when the connecting rod 23 is rotated it would be capable of causing the displacement rod 4 to displace in linear motion.

Allowable Subject Matter

9. Claims 2-21, 24, 27-37, and 51-52 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
10. Claims 38-45 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan C. To whose telephone number is (571) 272-6677. The examiner can normally be reached on Mon-Fri (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Toan C To/
Primary Examiner, Art Unit 3616

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